IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 203 of 2005 (S/B)

Rishi Ram Bhatt,
S/o Sri G.R. Bhatt,
Executive Engineer, Irrigation Department,
R/o 30/9-A, Rajpur Road,
Dehradun ..... petitioner

Versus

Secretary, Irrigation,
Irrigation Department,
Dehradun. ..... Respondent

Mr. S.N. Babukar, Senior Advocate assisted by Mr. Tumul Nailwal, Advocate for the petitioner.
Mr. K.P. Upadhyaya, Standing Counsel for the respondent.

JUDGMENT

Coram: Hon. Cyriac Joseph, C.J.
Hon. Irshad Hussain, J.

CYRIAC JOSEPH, C.J. (Oral)

1. By order dated 18th November, 2005, the writ petition was dismissed and the impugned transfer order was upheld. However, the petition was kept pending for ending the respondents to report withdrawal of the F.I.R. lodged against the petitioner by the substitute who was posted in his place. Mr. K.P. Upadhyaya, learned Standing Counsel Submits on the basis of instructions received from the Chief Engineer, Irrigation Department who is present in Court That the F.I.R. has already been withdrawn.

2. In the light of the observations contained in the order dated 18th November, 2005 and the withdrawal of the F.I.R., it is further directed that no action shall be taken against the petitioner for approaching the Court challenging the transfer order or for the alleged refusal to handover charge to the substitute.

3. The writ petition stands disposed of.

(Irshad Hussain, J.) **(Cyriac Joseph, C.J)**
19.12.2005 **19.12.2005**

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